

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2005/002110

International filing date (day/month/year)
07.02.2005

Priority date (day/month/year)
09.02.2004

International Patent Classification (IPC) or both national classification and IPC
G06F1/00

Applicant
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/JP2005/002110

AP20 Rec'd PCT/PTO 16 MAY 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-7,9,10,12,13
	No: Claims	1,8,11
Inventive step (IS)	Yes: Claims	
	No: Claims	1-13
Industrial applicability (IA)	Yes: Claims	1-13
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1: EP-A-1 286 243 (FUJITSU LIMITED) 26 February 2003 (2003-02-26)

D2: US 2003/069849 A1 (STEFIK MARK J ET AL) 10 April 2003 (2003-04-10)

2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1, 8 and 11 is not new in the sense of Article 33(2) PCT. The reasons therefor are the following:

Document D1 discloses according to the features of independent claim 8:

- a license information management method for managing license information indicating a range in which digital content can be used (paragraphs 16-21)
- the method comprising managing license information while ensuring security of the license information, wherein said managing includes encrypting the license information with a secret key stored in a secret key holding unit (figure 2; paragraph 19, "encrypts the license with secret key 1") and transferring the encrypted license information to a storage unit (figure 2; paragraph 19, "transmits ... the encrypted licenses") operable to hold the license information whose security is ensured (figure 2; paragraph 20, "receiving unit")

The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claims 1 and 11, which therefore are also considered not new.

3 Dependent claims 2-7, 9-10 and 12-13 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, see document D1 and D2 and the corresponding passages cited in the search report.

In particular the features of the dependent claims 2, 9 and 12 are not inventive for the following reasons:

Digital content license information holding metering data in accordance with a use of the digital content is known from D2, paragraph 147. The encryption/decryption of the license data is an obvious design alternative for the skilled person in order to solve the problem of information secrecy when the licence data is being stored/retrieved to/from a storage unit.

The features of other dependent claims are obvious design alternatives for the skilled person.

- 4 Furthermore, the independent claims 1, 8 and 11 do not involve inventive step for the following reasons:

Licenses with updateable metering information form part of the common knowledge of the skilled person (see e.g. D2, paragraph 147). The encryption/decryption of the license data is an obvious design alternative for the skilled person in order to solve the problem of information secrecy when the licence data is being stored/retrieved to/from a storage unit.

- 5 If the applicant wishes the further prosecution of the application, the following points are also to be considered:

- 5.1 The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
- 5.2 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein.
- 5.3 Independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I))

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PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).